

**10/589646**  
US Rec'd PCT/PTO 16 AUG 2006  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Jilly Evans, et al.	
Serial No.:	To Be Assigned	Case No.: 21238YP
US Nat'l Filing Date:	August 10, 2006	
Int'l Appl'n No.	PCT/US2005/005683	
Int'l Filing Date:	24 February 2005	
For:	USE OF CYSTEINYI LEUKOTRIENE 2 RECEPTOR ANTAGONISTS	

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Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT August 16, 2006  
EXPRESS MAIL NO. E108550413

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail "Post Office to Addressee" on the above date in an envelope addressed to:

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MAILED BY Jane Schepis  
DATE 8-16-06

10/589646  
PCT/US2005/005683  
16 AUG 2006

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Case No.: 21238YP  
Page 2

This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

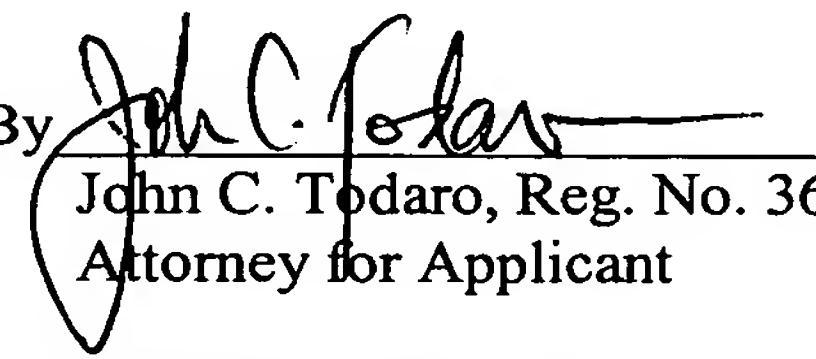
In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Reference E on the accompanying PTO 1440 form was cited in the International Search Report for this application. A copy of the International Search Report and Written Opinion of the International Searching Authority is enclosed with the Information Disclosure Statement.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application. Accordingly, it is believed that no fee is due.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By   
John C. Todaro, Reg. No. 36,036  
Attorney for Applicant

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Date: August 16, 2006

**Substitute for form 1449A/PTO**

# **INFORMATION DISCLOSURE**

## **STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

Sheet 1 of 3

Page 1 of 1

# **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**Examiner  
Signature** \_\_\_\_\_ **Date  
Considered** \_\_\_\_\_

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
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**COMPLETE IF KNOWN**

Application Number	To Be Assigned <b>3,158,964</b>
Filing Date	August 16, 2006
First Named Inventor	Jilly Evans
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Sheet	2 of 3
Attorney Docket Number	21238YP

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
E		Database PUBMED on GOOGLE, Neurosurgical Clinic, Justus-Liebig University Giessen, (Germany), WINKING, M. et al., "Levels of Immunoreactive cysteinyl-leukotrienes in CSF after subarachnoid haemorrhage correlate with blood flow-velocity in TCD", abstract, Acta Neurochir (Wein), 139(8):764-769 (1997)
F		J. Takasaki et al., "The Molecular Characterization and Tissue Distribution.....," Biochemical and Biophysical Research Communications, Vol. 274, pp. 316-322 (2000)
G		M. Kamohara et al., "Functional Characterization of Cysteinyl Leukotriene.....," Biochemical and Biophysical Research Communications, Vol. 287, pp. 1088-1092 (2001)
H		J. Zhu et al., "Localization and Upregulation of Cysteinyl Leukotriene-1 Receptor in Asthmatic Bronchial Mucosa," Am J Respir Cell Mol Biol., Vol. 33, pp. 531-540 (2005)
I		G. Yang et al., "Transgenic smooth muscle expression of the human.....," Am J Physiol Lung Cell Mol Physiol., Vol. 286, pp. L992-1001 (2004)
J		K. Lotzer et al., "Differential Leukotriene Receptor Expression and Calcium Responses in Endothelial Cells and Macrophages Indicate.....," Arterioscler Thromb Vasc Biol., Vol. 23, No. 8, pp. e32-6 (2003)
K		Galczenski et al., "Characterization of DUO-LT, a Novel Dual Cysteinyl Receptor Antagonist," presented at American Thoracic Society Meeting (April 2002)
L		H. Nothacker et al., "Molecular Cloning and Characterization of a Second Human Cysteinyl Leukotriene Receptor: Discovery of a Subtype Selective Agonist," Molecular Pharmacology, Vol. 58, No. 6, pp. 1601-1608 (2000)
M		C. Heise et al., "Characterization of the Human Cysteinyl Leukotriene 2 Receptor," J of Biological Chemistry, Vol. 275, No. 39, pp. 30531-30536 (2000)
N		H. Ogasawara et al., "Characterization of Mouse Cysteinyl Leukotriene Receptors mCystLT1 and mCysLT2", J of Biol Chem., Vol. 277, No. 21, pp. 18763-18768 (2002)
O		M. Golden et al., "Protection from Pulmonary Fibrosis in Leukotriene-Deficient Mice," Am J Respir Crit Care Med., Vol. 165, pp. 229-235 (2002)
P		J. Wilborn et al., "Constitutive Activation of 5-Lipoxygenase in the Lungs of Patients with Idiopathic Pulmonary Fibrosis," J. Clin. Invest., Vol. 97, No. 8, pp. 1827-1836 (1996)
Q		A. DiGennaro et al., "Cysteinyl-leukotriene receptor activation in brain inflammatory reactions and cerebral edema formation.....," The FASEB Journal express article 10.1096/fj.03-0599fje. Published online March 4, 2004.
R		A. DiGennaro et al., "Cysteinyl-leukotrienes receptor activation in brain inflammatory reactions and cerebral brain edema formation:.....," FASEB, Vol. 18, pp. 842-844 (May 2004)
S		L. Zhao et al., "The 5-lipoxygenase pathway promotes pathogenesis of hyperlipidemia-dependent aortic aneurysm," Nature Medicine, Vol. 10, No. 9, pp. 966-973 (2004)

Examiner Signature

Date Considered

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Substitute for form 1449B/PTO		<b>COMPLETE IF KNOWN</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	To Be Assigned <b>10/589646</b>
		Filing Date	August 16, 2006
		First Named Inventor	Jilly Evans
		Group Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Sheet	2	of	3
		Attorney Docket Number	21238YP

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Signature** \_\_\_\_\_ **Date  
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